

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALASKA COMMUNITY ACTION ON TOXICS, AMERICAN ALPINE CLUB, CALIFORNIA WILDERNESS COALITION, CENTER FOR BIOLOGICAL DIVERSITY, CENTER FOR ENVIRONMENTAL HEALTH, CENTER FOR FOOD SAFETY, ENVIRONMENT AMERICA, ENVIRONMENTAL DEFENSE FUND, ENVIRONMENTAL PROTECTION INFORMATION CENTER, FOOD AND WATER WATCH, FRIENDS OF THE EARTH, NATIONAL PARKS CONSERVATION ASSOCIATION, NATIONAL WILDLIFE FEDERATION, OCEAN CONSERVANCY, RIO GRANDE INTERNATIONAL STUDY CENTER, SOUTHERN UTAH WILDERNESS ALLIANCE, WE ACT FOR ENVIRONMENTAL JUSTICE, WESTERN WATERSHEDS PROJECT, THE WILDERNESS SOCIETY, and WINTER WILDLANDS ALLIANCE.

Plaintiffs.

V.

COUNCIL ON ENVIRONMENTAL
QUALITY, and MARY NEUMAYR, in her
official capacity as Chair of the council on
Environmental Quality,

Defendants.

On September 4, 2020, plaintiffs in a separately filed case, *State of California et al. v. Counsel on Environmental Quality (CEQ)*, No. 3:20-cv-06057 KAW (N.D. Cal. filed on Aug. 28, 2020), filed an administrative motion seeking to relate *State of California v. CEO* to this

Alaska Community Action on Toxics, et al. v. CEQ
No. 3:20-cv-5199

D-RS

DEFENDANTS' RESPONSE TO ADMINISTRATIVE MOTION TO RELATE CASES

Judge: Hon. Richard Seeborg

1 case. ECF No. 17. Both cases challenge the CEQ's final rule revising the agency's National
2 Environmental Policy Act (NEPA) regulations, 85 Fed. Reg. 43,304 (July 16, 2020). Without
3 waiving any otherwise applicable defenses, Federal Defendants do not oppose Plaintiffs' motion
4 to relate.

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6 Respectfully submitted this 8th day of September, 2020.

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/s/ Barclay T. Samford

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